

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
ST. LOUIS DIVISION

RONALD LEES, on behalf of Himself )  
and other similarly situated, ) 4:13-cv-01411-SNLJ  
)  
Plaintiff, )  
) Judge Limbaugh  
)  
v. )  
)  
ANTHEM INSURANCE COMPANIES INC., )  
d/b/a ANTHEM BLUE CROSS BLUE SHIELD, )  
)  
Defendant. )

**PLAINTIFF'S UNOPPOSED MOTION FOR**  
**PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**  
**AND TO FILE OVERSIZED BRIEF**

Plaintiff respectfully requests that the Court grant preliminary approval of the parties' proposed class action settlement in this matter. Plaintiff also requests leave to file an oversized memorandum in support of the proposed settlement.

In support of this motion, Plaintiff states:

1. This is a Telephone Consumer Protection Act, 47 U.S.C. §227 case, involving allegedly impermissible automated telemarketing calls to cellular telephones. The parties have reached a proposed class settlement of this matter.
2. The settlement generally calls for Anthem to pay between a minimum of \$4,750,000 and a maximum of \$6,250,000 to establish a common fund. The amount Anthem will have to pay depends upon the number of class members that submit valid claim forms. Notice will be sent via United States Mail to the best known address for the class members. This direct notice will be buttressed by internet publication, an interactive website and a toll-free prerecorded informational telephone line.
3. The terms of the Settlement Agreement are more completely explained in

Plaintiff's memorandum, filed concurrently with, and in support, of this motion. The Settlement Agreement itself, as well as the proposed claim form, notices and proposed preliminary and final approval orders, are also attached to the memorandum as exhibits. A proposed order granting preliminary approval is attached to the Settlement Agreement as Exhibit E.

4. The memorandum in support of preliminary approval is twenty-five (25) pages long. Plaintiff therefore additionally requests that this Court grant him leave to file that oversized brief, pursuant to Local Rule 7 – 4.01(D).

WHEREFORE, Plaintiff respectfully requests that the Court grant preliminary approval of the parties' proposed class action settlement in this matter. Plaintiff also requests leave to file an oversized memorandum in support of the proposed settlement.

Respectfully submitted,  
**RONALD LEES, on behalf of Himself  
and other similarly situated**

By: s/ Larry P. Smith

Dated: September 26, 2014

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 26, 2014, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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*Counsel for Defendant*

/s Larry P. Smith  
One of Plaintiff's Attorneys